

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

VIRTUAL GAMING TECHNOLOGIES, LLC,

Plaintiff,

v.

DRAFTKINGS, INC.,

Defendant.

Civil Action No. 2:15-cv-1706

JURY TRIAL DEMANDED

VIRTUAL GAMING TECHNOLOGIES, LLC,

Plaintiff,

v.

MICROSOFT CORPORATION,

Defendant.

Civil Action No. 2:15-cv-2092

JURY TRIAL DEMANDED

UNOPPOSED MOTION TO DISMISS WITH PREJUDICE

Plaintiff Plaintiff Virtual Gaming Technologies, LLC (“Virtual Gaming”) and Defendant Microsoft Corporation, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), move for an order DISMISSING WITH PREJUDICE all claims asserted against Microsoft Corporation in this action, with each party to bear its own costs, expenses and attorneys’ fees.

Dated: February 16, 2016

Respectfully submitted,

/s/ Elizabeth L. DeRieux
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*Attorneys for Virtual Gaming
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CERTIFICATE OF CONFERENCE

I hereby certify that counsel for Plaintiff conferred with counsel for Microsoft Corporation, and this motion is unopposed.

/s/ Elizabeth L. DeRieux
Elizabeth L. DeRieux

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this February 16, 2016 with a copy of this document via the Court's CM/ECF System per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Elizabeth L. DeRieux
Elizabeth L. DeRieux